

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153REMARKS

Regarding the amendments:

Claims 1-29 have been canceled in favor of new claims 30-51.

All of new claims 30-51 include a limitation referencing a notification channel or a notification channel protocol.

Applicants have amended the abstract paragraph to contain less than 150 words.

Applicants have amended the CROSS-REFERENCE TO RELATED APPLICATIONS paragraph marked 0002 to reference related applications 10/044,632 and 10/044,114.

Applicants now address each item of the office action.

1. The effective filing date for the subject matter of the pending claims is noted by the Office to be 1/10/2001.

2. The abstract is objected to because it contains more than 150 words.

Applicants have amended the abstract in compliance with this requirement.

3. The specification is objected to for not cross-referencing co-pending applications 10/044632 and 10/044144.

Applicants have amended the specification as required.

15/25

BEST AVAILABLE COPY

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

4. Claims 1-29 are provisionally rejected under obviousness-type double patenting over claims 1-21 of Application No. 10/044,632.

Applicants have canceled claims 1-29, rendering this provisional rejection moot. Applicants have provided new claims 30-51 which include elements believed to be unobvious over the claims of Application No. 10/044,632.

5. Claims 1-22 are provisionally rejected under obviousness-type double patenting over claims 1-35 of Application No. 10/044,114.

Applicants have canceled claims 1-29, rendering this provisional rejection moot. Applicants have provided new claims 30-51 which include elements believed to be unobvious over the claims of Application No. 10/044,114.

6. Applicants understand that the rejections numbered 4 and 5 are provisional.

7. The Office gives reasoning for the rejections numbered 4 and 5.

Applicants understand these arguments.

8. The Office gives reasoning for the rejections numbered 4 and 5 with respect to claim 26.

Applicants understand these arguments and appreciate the careful consideration of the Office.

9. Claims 9, 16, 19, 22 and 26 are rejected under 35 U.S.C § 112, second paragraph, as being indefinite.

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

10. The grounds for the rejection numbered 9 with respect to claims 9 and 19 are that the term "a notification channel protocol" is ambiguous.

Applicants traverse this rejection on grounds that the term "notification channel protocol" is defined in the specification, particularly in paragraph 0037 ("notification channel protocol used by notification channel 208", indicating that a notification channel protocol is a protocol used by a notification channel) used in that context in paragraphs 0042-45.

Applicants have canceled claims 9 and 19, which renders this rejection moot. However new claims 30-51 use the term "notification channel protocol", and applicants therefore request reconsideration of this rejection.

12. Further grounds for the rejection numbered 9 with respect to claim 16 is that the limitation "said receiving of second device status messages" is ambiguous.

Applicant has canceled claim 16, rendering this rejection moot.

13. The grounds for the rejection numbered 9 with respect to claims 22 and 26 are that the limitations "enterprise devices in communication with said server group through said server network hardware" and "a superintendent system in electronic communication with said server group through said server network hardware" are ambiguous.

Applicant disagrees with this rejection, and does not understand the arguments of rejection. However, applicant has canceled claims 22 and 26, rendering this rejection moot.

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

14. Claims 1-4, 6-7, 9, 20 and 22-29 are rejected under 35 U.S.C. § 102(b) with allegations that U.S. Pat. No. 5,742,762 ("Scholl") anticipates the elements of these claims.

15. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 1.

Applicants disagree. Applicants do not believe that Scholl discloses a reporting and maintenance system or a superintendent system. Even so, applicants have canceled this claim rendering the arguments moot.

16. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 20.

Applicants disagree. Applicants do not believe that Scholl discloses a reporting and maintenance system or a system capable of accessing such. Even so, applicants have canceled these claims rendering the arguments moot.

17. The Office offers particular references in Scholl to support the rejection numbered 14 for claims 22 and 26.

Applicants disagree. Applicants do not believe that Scholl discloses a transferential system. Furthermore, Scholl does not disclose a notification channel or a notification channel protocol as defined by the application specification. Even so, applicants have canceled these claims rendering the arguments moot.

18. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 2.

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

19. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 3.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

20. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 4.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

21. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 4.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

22. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 7.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

19/25

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

23. The Office offers particular references in Scholl to support the rejection numbered 14 for claim 9.

Applicants disagree for reasons given above. Scholl does not disclose a notification channel protocol. HTTP is a point to point protocol, which is insufficient to operate a notification channel as defined in the specification. However applicants have canceled these claims rendering the arguments moot.

24. The Office offers particular references in Scholl to support the rejection numbered 14 for claims 23-25 and 27-29.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

25. Claims 11-14, 16-17 and 19 are rejected under 35 U.S.C. § 102(e) with allegations that U.S. Pat. No. 6,363,421 ("Barker") anticipates the elements of these claims.

26. The Office offers particular references in Barker to support the rejection numbered 25 for claim 11.

Applicants disagree. Applicants do not believe that Barker discloses a reporting and maintenance system or a superintendent system. However applicants have canceled these claims rendering the arguments moot.

20/25

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

27. The Office offers particular references in Barker to support the rejection numbered 25 for claim 12.

Applicants disagree for reasons given above. Barker does not disclose the use of policy to filter messages. However applicants have canceled these claims rendering the arguments moot.

28. The Office offers particular references in Barker to support the rejection numbered 25 for claim 13.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

29. The Office offers particular references in Barker to support the rejection numbered 25 for claim 14.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

30. The Office offers particular references in Barker to support the rejection numbered 25 for claims 16 and 17.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

21/25

Serial No. 10/043,426

Response to Office Action

Examiner: Rellly, Sean M.
Group Art Unit: 2153

31. The Office offers particular references in Barker to support the rejection numbered 25 for claim 19.

Applicants disagree for reasons given above. HTTP is a point to point protocol, which is insufficient to operate a notification channel as defined in the specification. However applicants have canceled these claims rendering the arguments moot.

32. Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Scholl and U.S. Pat. No. 6,144,669 ("Williams").

33. The Office offers particular references in Barker to support the rejection numbered 32 for claim 5.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

34. Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Scholl and official notice.

35. The Office offers particular references in Barker to support the rejection numbered 34 for claim 8.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

36. Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Scholl and official notice.

22/25

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

37. The Office offers particular references in Barker to support the rejection numbered 36 for claim 10.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

38. Claims 15, 18 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Barker and official notice.

39. The Office offers particular references in Barker to support the rejection numbered 38 for claims 15 and 21.

Applicants disagree for reasons given above, and further that Barker does not disclose the prioritization of some messages over others. However applicants have canceled these claims rendering the arguments moot.

40. The Office offers particular references in Scholl (Barker?) to support the rejection numbered 38 for claim 18.

Applicants disagree for reasons given above. However applicants have canceled these claims rendering the arguments moot.

41. Applicants take note of the prior art made of record not relied upon.

42. Applicants take note that the rejection was made non-final.

For rejections relying upon official notice, applicants challenge the Office under MPEP § 2143.04 "C" to provide documentary support, unless those rejections are withdrawn.

23/25

Serial No. 10/043,426

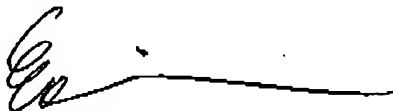
Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

Although applicants have amended the original claims, applicants maintain that the original claims are patentable at least by reasons set forth by the arguments above. Applicants reserve the right to prosecute these claims and their subject matter in this or subsequent continuing applications, and do not disclaim those claims in any way.

The applicant's representative would be grateful to be contacted at the below telephone number, should there be any remaining questions.

Respectfully submitted this 14 day of July, 2005.



Everett D. Robinson
Reg. No. 50,911
PARSONS, BEHLE & LATIMER
201 South Main Street, Suite 1800
P.O. Box 45898
Salt Lake City, UT 84145-0898
(801) 536-6724

Serial No. 10/043,426

Response to Office Action

Examiner: Reilly, Sean M.
Group Art Unit: 2153

CERTIFICATE OF MAILING

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 with sufficient postage and is addressed to:

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

on _____

Typed or printed name of person signing this certificate:

☐ Everett D. Robinson

☐ _____

Signature _____

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted the United States Patent and Trademark Office,

☐ Fax No. (703) 872-9306

☐ Fax No. (703) _____

on July 14, 2005

Typed or printed name of person signing this certificate:

☒ Everett D. Robinson

☐ _____

Signature 

25/25

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.